

STATEMENT OF PURPOSE

RS20465

This legislation updates Sections 25-2803 – 25-2808 and adds Sections 25-2809 – 25-2815, Idaho Code. The legislation provides statewide minimum standards and definitions and allows counties to be more restrictive. A new category of "at risk" dogs is added and the existing term "vicious" is replaced by "dangerous" dog. Penalties remain the same for dogs running at large and subject to impoundment; however sheriff's responsibility to house and use reasonable effort to locate owners prior to disposition of a dog is clarified. Liabilities and penalties are to provide for dog attacks on humans, and domestic animals including production and companion. Changes to the statute give the court more discretion in the management of dangerous dogs and the ability to differentiate less severe behavior from more dangerous behavior and provide appropriate conditions for keeping the offending dog to ensure public safety. The court is provided the discretion to order a dog destroyed on a first incident resulting in severe injury or death of a human. The statute provides that under certain circumstances aggressive acts by dogs are justifiable, and the dog and its owner exempted from prosecution. Personal responsibility is emphasized as well as the rights of both owners and victims of at risk or dangerous dogs. Misdemeanor penalties are introduced for dangerous dog violations.

FISCAL NOTE

There is no additional fiscal impact to the General Fund. There are no additional impacts to local units of government.

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